

3. I declare under penalty of perjury under the laws of the United States of America that the foregoing Declaration is true and

Executed Herold H. Brown.

July 29, 1993

SALAD # 16

JUNE 10, 1991

DECLARATION OF D. MARVIN JONES

I, D. Marvin Jones, respectfully state as follows.

1. I am an Associate Professor of Law at the University of Miami School of Law. I was a candidate for the U.S. Congress in 1992 for Florida's District 17, and am involved in numerous Miami civic and professional organizations. I have been a resident of Dade County for four years.

2. I have watched Channel 45 approximately two to three hours a week, and consider the following to be the major deficiencies of its program offerings:

a. The station carries little information about Dade-specific public policy issues including the local economic situation, Dade county government and its schools.

b. There is little programming celebrating the rich cultural diversity of our community, including programs which allow each cultural and linguistic group to speak to its own experiences and needs. There is little coverage of cultural and political events. There are few features on outstanding members of the minority communities, and no plays or dramas addressing the Hispanic, Haitian or African American communities. While there was a PSA about Martin Luther King, panel discussions and coverage of the parade through Overtown were absent.

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JUN 10 1991
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Federal Communications Commission

Case No. 93-75 Exhibit No. 14

Produced by Verity

Identified DEC 3-1993

Disposition

Received

Rejected

DEC 3-1993

Reporter A. W. Shaw

Date DEC 3-1993

c. There is no programming targeted at educating the public about the economic conditions in the African American community, the Haitian community, or about discrimination still faced by these groups and by Hispanics. There is little content geared to affirmatively educating the community about its most urgent social problems. There is not to say that there is no coverage of minorities, only that it is sporadic and lacks a proactive focus on creating a dialogue about or educating the community about specific, well known community problems.

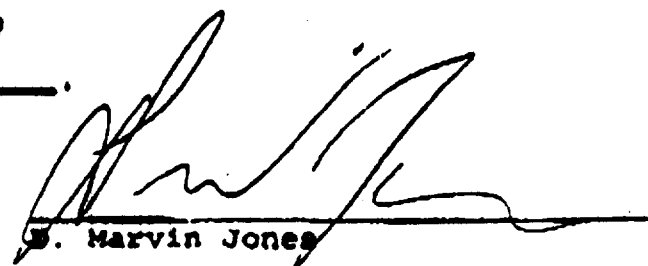
d. There is no opportunity for public access, such as guest editorials by concerned citizens.

3. I have never been contacted by Channel 45. On the other hand, Channels 4, 6, 7 and 17 have contacted me scores of times about legal, political, and civil rights issues. I have sent notices to Channel 45 about several fundraisers I held, and several debates in which I was involved which are of interest to the community if only because of the importance of the office I was seeking and the quality of the people who were invited. Channel 45 never attended. Channels 4, 6 and 7 all at different times attended these events.

I declare under penalty of perjury under the laws of the United States of America that the foregoing Declaration is true and correct to the best of my knowledge and belief.

Executed

8/10/93


S. Marvin Jones

SNAD #17

DECLARATION OF JOHNNIE R. McMILLIAN

I, Johnnie R. McMillian, respectfully state as follows.

1. I have been a resident of Dade County, Florida for over two decades. I am employed as the Deputy Administration for the Chapter I Program of the Dade County Public Schools. For the past four and one half years, I have also served as the President of the Miami-Dade Branch of the NAACP. With over 8,000 members, including 2,500 youth members, we are among the largest NAACP branches in the United States and we are the largest Black organization in South Florida.

2. The Miami-Dade Branch of the NAACP has long attempted to establish dialogue with all twelve local television stations. In 1990, we invited the general managers of each station to separately visit with members of our Communications Committee and the Ft. Lauderdale Branch's Communications Committee at the Tacolcy Neighborhood Center in Liberty City, a well established Black neighborhood in Miami. We wanted to review each station's hiring practices, public affairs programming and public service programming and make suggestions on how each station could improve its sensitivity to the needs of the African American community. We scheduled and kept eleven appointments that day, including nine with general managers of TV stations. Two stations sent their station managers owing to time conflicts of their general managers. Channel 45 was the only station which sent nobody; indeed, it did not respond to our invitation at all.

Federal Communications Commission

Docket No. 93-75 Exhibit No. 17

Presented by H. H. H.

Disposition	{	Identified	DEC 3-1933
		Received	12/3/93
		Revised	DEC 3-223

A. W. W.

DEC 3-1933

3. From 1989 through the end of 1991, the Miami-Dade NAACP mailed or faxed every television station, including Channel 45, several dozen announcements, press releases and meeting notices. Whether through news coverage, public affairs programs, editorials or PSAs, every station but Channel 45 responded in some way to some of this material. Early in 1992 we stopped sending press notices to Channel 45; it was a waste of time.

4. I have reviewed Channel 45's "Issues/Programs Lists" for the period 1987 through 1991 which cover the subjects of (1) Education and (2) Discrimination/Minority Groups.

5. Here is a breakdown of the topics discussed in the programs listed in Channel 45's 1987-1991 Issues/Programs Lists as dealing with education:

<u>Topic Discussed</u>	<u>Number of Mentions</u>
Home schooling	14
Opposition to sex or drug education	10
Literacy/illiteracy	8
Christian Schools	8
Prayer/Bible teaching in school	7
How parents can lobby against curricula/textbooks	6
Moral values in schools	5
School choice/vouchers/opposition to busing	5
Opposition to "secular humanism" in schools	4
Need for more parental involvement with children	3
Support for teaching "creationism"	3
Foster parents	2
Finances of L.A. Public Schools	2
Need for more discipline in schools	2
Opposition to gays as teachers	1
Christian athletic program	1
Underachievers	1
Teaching reading	1
Opposition to health clinics in high schools	1
Seminars on values for youth	1
Free tuition/fees for underprivileged students	1
Dade County Schools' "Listen to Children" program	1
Broward County Schools Magnet Program	1
Opposition to teaching psychology or classics	1

Topic Discussed

Number of
Mentions

(continued)

Music therapy	1
The Bible contains everything a child needs to know	1
President Bush' Education Summit	1
Race-norming	1
Inner City school ministry	1
Home for teenage runaways	1

6. During the 1987-1991 period, far more advocates of home schooling or private schools evidently appeared on Channel 45 than representatives of the public schools, where the vast majority of parents send their children. Only two guests from the Dade County Public Schools were reflected in the Issues/Programs Lists, and only one guest from the Broward County Public Schools was reflected. Only one local teacher and one local public school parent were reflected. Only two representatives of secular Black organizations (the Broward Urban League and the Links) were listed. No advocate of the needs of minority children in the public schools was listed. No programs were listed on any of the leading issues in public education in South Florida -- bilingualism, multiculturalism, endemic segregation and undereducation of minority children, the high dropout rate, and the special educational needs of children of Haitian, Cuban and other immigrants. Incredibly, although the Dade County Public Schools are roughly half Hispanic, not one Spanish surnamed person was listed as a guest on Channel 45 discussing education.

7. The major civil rights issues in Dade and Broward Counties are well known: employment discrimination, housing discrimination, voting rights, police misconduct, public accommodations discrimination, disparate treatment of Haitian immigrants and bilingual publications by local government. The Issues/Programs Lists reflected 28 programs purportedly dealing with discrimination or minorities. Only two of those programs addressed any of the principal civil rights issues in Dade or Broward Counties. One program, in April, 1987, had an EEOC administrative law judge discussing how to file a discrimination complaint; another, in February, 1989, had a panel of four persons discussing bilingualism in local governments (three were in opposition and one, Mark Gallegos, a Vice President of SALAD, was in favor. Only a small handful of ultraconservatives would prevent local governments from printing signs and brochures in more than one language; apparently three of them were on that particular show. Three months ago, Dade's "English Only" ordinance was repealed unanimously.) No programs were listed addressing any other civil rights issue, and except for Mr. Gallegos' appearance, no representative of Dade or Broward civil rights or minority rights organizations was listed as having appeared on Channel 45. Channel 45 is the only television station in South Florida which simply does not address civil rights at all. Most of the other stations address the issue frequently, with sensitivity, balance and depth.

8. While I do not believe Channel 45's education and discrimination/minority group programming had no value, it cannot fairly be labelled "meritorious."

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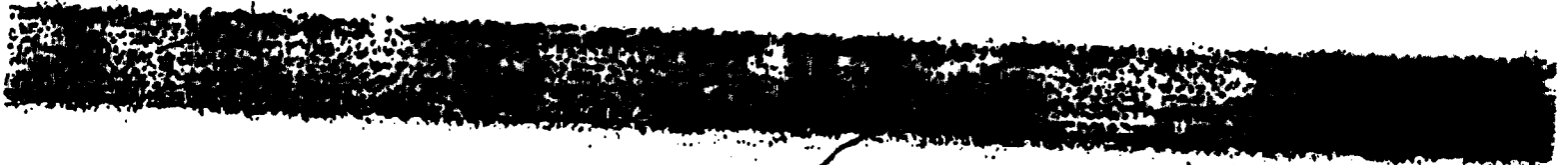
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9. I declare under penalty of perjury under the laws of the United States of America that the foregoing Declaration is true and correct to the best of my knowledge and belief.

Executed August 10, 1993

Johnnie L. McMillian
Johnnie McMillian



SALAD # 18

DECLARATION OF CARLTON MOORE

I, Carlton Moore, respectfully state as follows.

1. I am a Commissioner of the City of Ft. Lauderdale, Florida and have lived in Ft. Lauderdale all my life. I am employed as an Investigator with the Public Defender's Office.

2. I am a member of numerous civic organizations, including, among others, the Biracial Committee of the Broward County School Board, the NAACP (4th Vice President, Florida State Conference, and past President of the Ft. Lauderdale Branch); the Board of Directors of the Florida League of Cities; the Broward County Substance Abuse Committee; the Ft. Lauderdale Historical Society; the Young Democrats; the Twenty-First Century Democrats; the Northwest Boys Club Advisory Board; Broward Leadership Alumni; the Ft. Lauderdale Community Services Board; the Northwest Redevelopment Council; the Ft. Lauderdale Small Business Advisory Board, and the Broward County Black Economic Development Council.

3. I am generally aware of the programming routinely available from all of our local television stations. Compared to the other stations serving Broward County, Channel 45 has done a poor job addressing community needs. The station has broadcast some community service programming but it has been quite limited in scope.

4. I have never been contacted by Channel 45 in regard to programming.

5. Earlier this year, an organization with which I am associated, the YMCA L.A. Lee Branch, asked Channel 45 to announce our multi-cultural achievers program. We received no response.

Federal Communications Commission

Docket No. 93-78 Exhibit No. 5 of 18

Presented by: Honey

DEC 3-1993

Disposition

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DEC 3-1993

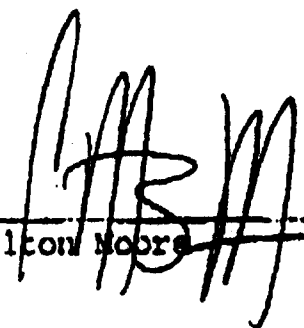
Reported by: A. Wilbur

DEC 3-1993

6. Channel 45 has never sent a representative to cover or attend an event of interest to me. In comparison, Channels 4, 7, 10, 33 and 39 regularly cover community interest events relating to economic development development and other minority group concerns, such as "Night Out on Crime," the NAACP/NationsBank Resource Center, the Heritage Bowl football game, and the Urban League's drug program.

I declare under penalty of perjury under the laws of the United States of America that the foregoing Declaration is true and correct to the best of my knowledge and belief.

Executed 8/10/93.



Carlton Moore

SALAD #19

DECLARATION OF DR. KATHLEEN A. SHEA

I, Kathleen A. Shea, respectfully state as follows.

1. I am a resident of Coconut Grove, in Dade County, Florida. I have been a Dade County resident since 1979. Professionally, I serve as an Assistant Professor in the Department of Educational and Psychological Studies of the University of Miami, and as President of International Associates for Marketing, Inc. I serve on the Board of Directors of the Economic Opportunity Family Health Center and formerly served as a member of the City of Miami Commission on the Status of Women.

2. I have reviewed Channel 45's "Issues/Programs Lists" for the period 1987 through 1991 which cover the subject of Education and the Schools. The synopses seem largely to describe an attack on public education. The programs seem designed almost entirely to promote the virtues of Christian schools and home schooling, while accusing public education of "having witches in our schools."

3. I could find only three or four instances where local public school staff were part of the programs. It appears that a good amount of the programming comes from California and other places with little attention given to the local Dade/Broward area.

4. To address local educational needs, a television station would need to cover a far wider range of education topics than those reflected in the Issues/Programs Lists, including: providing language and other instruction to the tens of thousands of immigrant children in South Florida, programs for gifted children, and coverage of the Dade County Schools' building program, whose recent bond issue's passage created what I understand to be the nation's largest public school construction program at that time.

Federal Commission on the Environment

Docket No. 73-75 Exhibit No. 5, 19

Presented by *Harris*

DEC 3-1993

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Rejected

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Disposition

A. Weber

DEC 3-1993

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5. The multicultural nature of South Florida provides an opportunity to educate viewers about our diverse cultures, and about the customs of other countries -- none of which I saw mentioned in the Issues/Programs lists. This type of program is often done in conjunction with holidays and national celebrations. For example, all local Dade County television stations -- except Channel 45 -- provide extensive special programming and PSAs for Black History Month (February) and Women's History Month (March). Channel 45 appears to take little or no notice of these culturally defining events.

6. A glaring omission from the Issues/Programs lists is programming which deals in any way with postsecondary education, including college and vocational education. For example, there did not seem to be any reference to Miami-Dade Community College. With 57,000 students, it is the largest community college in the United States and the fourth largest institution of higher education in the United States. By omitting almost any discussion of higher education, Channel 45 has overlooked an essential aspect of the community's educational needs.

7. As this is written, I am in California. I regret that owing to my travel schedule I was not able to transmit this Declaration to SALAD's counsel until today. I hope the Court will consider it and permit me to be a witness in this important matter.

I declare under penalty of perjury under the laws of the United States of America that the foregoing Declaration is true and correct to the best of my knowledge and belief.

Executed 8/1/93.


Kathleen A. Shea

S4L4b # 20

DECLARATION OF OSVALDO SOTO

I, Osvaldo Soto, respectfully state as follows.

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1. I have been a resident of Dade County, Florida for twenty years. I am an attorney in private practice in Miami, Florida, specializing in real estate and family law. I am the Chairman of the Board of Directors of the Spanish American League Against Discrimination (SALAD), which is opposing the renewal of Channel 45's license.

2. SALAD is the leading Hispanic civil rights organization in Miami. It became involved in this case because of its desire to preserve the integrity of the FCC's minority media ownership policies, recognizing that with over 1,000,000 Hispanics in Dade County, not one of our twelve television stations is Hispanic owned. Thus, we have an inherent information deficiency, and it is incumbent on every station to attempt to respond to our highly distinct community needs.

3. I am familiar in a general way with the programming of all of the television stations serving Miami. Whether through their news, public affairs programs or public service spots, all of the local stations have attempted in some way to cover such Hispanic civil rights issues as employment and housing discrimination and voting rights -- except Channel 45. During the seven years I have chaired the Board of SALAD, Channel 45 has never contacted me, and I am aware of only one occasion on which a representative of SALAD appeared on Channel 45.

Federal Communications Commission

Docket No. 93-75 Exhibit No. 5.20

Presented by: *Hoenig*

(Identified) DEC 2-1933

Disposition: (Received) DEC 3-1933

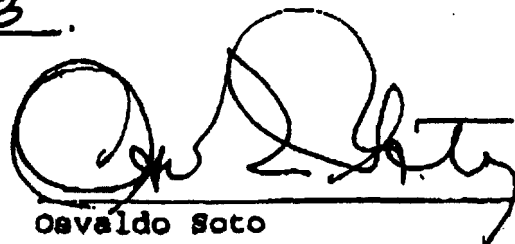
By: *A. C. Wilson*
DEC 3-1933

4. On that occasion in 1987, Mark Gallegos, a member of our Board, appeared as one of panel of four persons discussing "English only" requirements of local government. He was the only opponent of "English only" on the panel on this issue. Only a rather xenophobic handful of people would prevent a government from printing information in the primary language of over half of its population.

5. I understand that few if any Hispanics are listed in Channel 45's "Issues/Programs Lists" for the period 1987-1991 to discuss several critical issues, including education. Channel 45's city of license, Miami, is about 70% Hispanic, and Dade County is over 50% Hispanic. Such exclusion of Hispanic persons, especially local Hispanic persons, from a television station's programming is very troubling to me. A public trustee behaving in this way cannot be deemed to have provided "meritorious" programming.

I declare under penalty of perjury under the laws of the United States of America that the foregoing Declaration is true and correct to the best of my knowledge and belief.

Executed 8/10/93.


Osvaldo Soto